



CASE RG/G-33574P1

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV540155605US
Express Mail Label Number

September 16, 2005
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
PATEL ET AL.
APPLICATION NO: 10/743,366
FILED: DECEMBER 22, 2003
FOR: MODAFINIL COMPOSITIONS

Art Unit: 1615
Examiner: Oh, Simon J.

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL
PETITION FOR EXTENSION OF TIME

Sir:

The period for filing a Notice of Appeal has a shortened statutory time set to expire on June 21, 2005. A three-month extension is hereby requested pursuant to 37 CFR §1.136(a).

A two-month extension was previously requested and paid for, making the extension fee due at this time \$570 (\$1020 less the previously paid amount of \$450).

Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$570 for payment of the extension fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

Respectfully submitted,

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080

Date: September 16, 2005

John Thallemer
John D. Thallemer
Attorney for Applicants
Reg. No. 34,940
Phone No. (862) 778-7945

09/20/2005 EFLORES 00000012 190134 10743366
01 FC:1253 570.00 DA